

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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DRUG MART PHARMACY CORP., et al.,

Plaintiffs,

-against-

AMERICAN HOME PRODUCTS, CORP.,
et al.,

Defendants.

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This document relates to following action
consolidated into case number 93-CV-5148
pursuant to the Court's May 22, 2002
Consolidation Order

F&M Distributors, Inc., et al. v.
Abbott Laboratories, et al., 02CV2508


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GLASSER, United States District Judge:

WHEREFORE, it appearing to the Court that the Sherman Act claims of plaintiffs in the above-captioned matter have previously been released, dismissed and/or abandoned, against Novartis Pharmaceuticals Corporation, Ciba-Geigy Corporation (now merged into Novartis Pharmaceuticals Corporation), G.D. Searle & Co., Johnson & Johnson, Marion Merrel Dow Inc. (now Aventis Pharmaceuticals Inc.), Rhone Poulenc Rorer Inc. (now Aventis Pharmaceuticals Inc.), Sandoz Pharmaceuticals Corporation (now merged into Novartis Pharmaceuticals Corporation), Hoffmann-LaRoche Inc., Knoll Pharmaceutical Company (now owned by Abbott Laboratories) and The Purdue Frederick Company.

IT IS ORDERED that said Motion to Dismiss is granted and any and all of the Sherman Act claims against Novartis Pharmaceuticals Corporation, Ciba-Geigy Corporation (now merged into Novartis Pharmaceuticals Corporation), G.D. Searle &

Co., Johnson & Johnson, Marion Merrel Dow Inc. (now Aventis Pharmaceuticals Inc.), Rhone Poulenc Rorer Inc. (now Aventis Pharmaceuticals Inc.), Sandoz Pharmaceuticals Corporation (now merged into Novartis Pharmaceuticals Corporation), Hoffmann-LaRoche Inc., Knoll Pharmaceutical Company (now owned by Abbott Laboratories) and The Purdue Frederick Company brought in this action by the Plaintiffs in *F&M Distributors, Inc. v. Abbott Laboratories*, No. 02 CV 2508 are dismissed with prejudice and without costs to any party.

Dated: Brooklyn, New York
September 16, 2003


I. Leo Glasser

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